

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

James N. Bryant, III,)	C/A No.: 1:13-2665-BHH-SVH
)	
Petitioner,)	
)	
vs.)	
)	ORDER LIFTING STAY
William R. Byars, <i>Director, South</i>)	
<i>Carolina Department of Corrections,</i>)	
<i>Warden, Lieber Correctional Institution,</i>)	
)	
Respondents.)	

Petitioner James Nathaniel Bryant III (“Bryant”) is a state prisoner convicted of murder and armed robbery and sentenced to death. On September 27, 2013, counsel for Bryant filed a petition for habeas corpus on his behalf. [ECF No. 14.] Also, on September 27, 2013, Bryant’s counsel filed a motion to stay his federal habeas corpus action pending the exhaustion of various claims in state court. [ECF No. 16.] This court granted the motion to stay on November 22, 2013. [ECF No. 35.] Counsel has now filed a status report indicating that Bryant’s second post-conviction relief action has been dismissed in state court.¹ [ECF No. 58.] Accordingly, it appears to the court that it is now appropriate to lift the stay of this action and resume briefing.

The stay of this action is hereby lifted. The court has issued a notice of a telephonic status conference with the parties on October 16, 2017 at 10:30 a.m. At that time, Petitioner’s counsel should be prepared to advise the Court whether Petitioner

¹ Bryant’s counsel submitted the status report pursuant to this court’s order directing the parties to advise the court within five days of the resolution of the state court proceedings. [See ECF No. 58.]

would like his motion to amend/correct [ECF No. 33] reinstated. Additionally, counsel for both parties should be prepared to discuss scheduling of further briefing in this matter.

IT IS SO ORDERED.

A handwritten signature in black ink, reading "Shiva V. Hodges". The signature is written in a cursive, flowing style.

October 13, 2017
Columbia, South Carolina

Shiva V. Hodges
United States Magistrate Judge